

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

MISSISSIPPI STATE CONFERENCE OF THE  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE; DR.  
ANDREA WESLEY; DR. JOSEPH WESLEY;  
ROBERT EVANS; GARY FREDERICKS; PAMELA  
HAMNER; BARBARA FINN; OTHO BARNES;  
SHIRLINDA ROBERTSON; SANDRA SMITH;  
DEBORAH HULITT; RODESTA TUMBLIN; DR.  
KIA JONES; ANGELA GRAYSON; MARCELEAN  
ARRINGTON; VICTORIA ROBERTSON,

*Plaintiffs,*

vs.

STATE BOARD OF ELECTION COMMISSIONERS;  
TATE REEVES, *in his official capacity as Governor of  
Mississippi*; LYNN FITCH, *in her official capacity as  
Attorney General of Mississippi*; MICHAEL WATSON,  
*in his official capacity as Secretary of State of  
Mississippi.*

*Defendants.*

**CIVIL ACTION NO.  
3:22-cv-734-DPJ-HSO-LHS**

**PLAINTIFFS' MOTION FOR EXPEDITED TRIAL**

Plaintiffs hereby move the Court for a scheduling order that provides for discovery and trial on an expedited basis, such that this Court can rule and provide in relief well before Mississippi's general election in November 2024. As grounds for this motion, Plaintiffs state as follows:

1. This case involves both statutory and constitutional claims against Mississippi's 2022 redistricting plans for the State House and State Senate. In their Complaint filed December

2022, Plaintiffs assert that the plans unlawfully dilute the voting strength of Black Mississippians in violation of Section 2 of the Voting Rights Act (“VRA”), 52 U.S.C. § 10301, and are racially gerrymandered in violation of the Fourteenth Amendment to the U.S. Constitution.

2. Plaintiffs seek to resolve this case in a manner such that, should they prevail at trial and obtain a judgment requiring the redrawing of certain legislative districts, relief may be imposed well in advance of the 2024 election.

3. Plaintiffs proposed a case management order (CMO) with an expedited schedule to allow for the case to proceed to trial by February 2024. Plaintiffs also intend to seek a remedial order that provides for special elections any districts that must be redrawn. Otherwise, the unlawful districts would persist until the 2027 statewide general election.

4. An expedited trial occurring by February 2024 would allow new maps to be drawn and enacted in time for special elections in those redrawn districts to occur in conjunction with the November 2024 general election.

5. After conferring with Defendants pursuant to Rule 26(f), the parties were unable to agree to an expedited schedule in accordance with Plaintiffs proposed case management order. Plaintiffs also oppose the schedule proposed by Defendants.

6. In the telephonic pre-trial conference pursuant to Rule 16(b), the Court ordered both parties to file motions on the propriety of their respective proposed schedules in this matter.

7. Plaintiffs assert that their proposed schedule is reasonable and achievable given the issues of this case and the limited scope of the discovery required. Further, a special election remedy is permissible under U.S. Supreme Court and Fifth Circuit precedent. Expediting the case such that a special election may be had in conjunction with the 2024 general election would prevent irreparable harm to Plaintiffs and similarly situated Mississippians.

The reasons for this motion for an expedited trial schedule are set forth in the accompanying memorandum and attached exhibit. Accordingly, Plaintiffs respectfully request that their motion for expedited treatment be granted.

DATED: May 26, 2023

Respectfully submitted,

/s/ Joshua Tom

Joshua Tom, MSB 105392

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*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I, Joshua Tom, hereby certify that on May 26, 2023, I filed the forgoing Motion with the Clerk of the Court using the ECF system which sent notification of such filing to all parties on file with the Court.

/s/: Joshua Tom  
Joshua Tom, MSB # 105392